IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO.836 OF 2005
IN
WRIT PETITION NO.1282 OF 2005

Ceat India Limited Appellants
versus
Shrirang Ramachandra Deshmukh Respondent

Mr.S.K.Talsania, Sr.Counsel i/by M/s.Sanjay Udeshi & Co. for appellants.
Ms.Gayatri Singh for respondent.

ALONG WITH
APPEAL NO.917 OF 2005
IN
WRIT PETITION NO.1282 OF 2005

Shrirang Ramchandra Deshmukh Appellant
versus
Ceat India Limited Respondent

Ms.Gayatri Singh for appellant.
Mr.s.K.Talsania, Sr.Advocate i/by M/s.Sanjay Udeshi & Co. for respondent.

CORAM : DR.S.RADHAKRISHNAN AND
S.C.DHARMADHIKARI, JJ.

DATE : 25th October 2005
PC :

1. Heard learned counsel for appellant and respondent in respective appeals. By Appeal No.836 of 2005 the appellant employer is seeking to challenge the order of interim relief granted by the learned Single Judge. The learned Single Judge has admitted the writ petition filed by the appellant. Learned Single Judge has granted

interim stay to the award to the extent of payment of back wages only. The appellant has to reinstate the respondent. It appears that the employee (appellant in Appeal No.917 of 2005) is of 56 years of age and will retire within a period of two years. The matter has been pending before the Labour Court for almost 12 years. Thereafter the workman has succeeded before the Labour Court by way of an award of reinstatement and back wages. The learned counsel for appellant in Appeal No.836 of 2005 categorically states that the appellant is not desirous of reinstating the workman at all. We do not find any error in the aforesaid interlocutory order with regard to not granting stay with regard to reinstatement as there is a stay regarding back wages. Hence appeal stands dismissed.

2. As far as Appeal No.917 of 2005 filed by the Appellant Workman with regard to interlocutory order of stay of back wages, we are not inclined to interfere, as the Appellant is entitled to be reinstated, hence the Appeal stands dismissed.

(DR.S.RADHAKRISHNAN, J.)

(S.C.DHARMADHIKARI, J.)